

10 Rec'd 29 JUL 2002

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**ALSTON&BIRD LLP****FAX RECEIVED**3201 Beechleaf Court, Suite 600  
Raleigh, NC 27604-1062

JUL 26 2002

919-862-2200  
Fax: 919-862-2260

GROUP 1600

**OFFICIAL****TELECOPY**  
PLEASE DELIVER AS SOON AS POSSIBLE**DATE:** July 26, 2002**TO:** **TC1600****FROM:** Kelly J. Williamson  
Patent Agent

In re: Kappes, et al.

Appl No.: 10/019,644

Confirmation No.: 1101

Filed: 7/6/00

For: RETROVIRAL RECOMBINATION ASSAYS AND USES THEREOF

## Attached Documents:

Response to Notice to File Missing Parts  
Form PTO-1533  
Declaration and Power of Attorney and Cover  
Request for 2 month Extension of Time

**NO. OF PAGES:** 9  
(Including cover page)**OPERATOR:** 703 27984 #1

IF NOT RECEIVED PROPERLY, PLEASE NOTIFY ME IMMEDIATELY AT (919) 862-2200

**USER CODE:** LAKE**FAX NUMBER:** 703-872-9306**CLIENT/MATTER:** 044276/242574**REQUESTED BY:** Pam Lockley**VOICE NUMBER:**

JUL. 26' 02 (FRI) 15:04

P. 002

10 Page(s) Presented 29 JUL 2002

Attorney's Docket No. 44276/242574 (5854-6)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kappes, et al.  
Appl No.: 10/019,644  
Filed: 7/6/00  
For: RETROVIRAL RECOMBINATION ASSAYS AND USES THEREOF

Confirmation No.: 1101

FAX RECEIVED

JUL 29 2002

GROUP 1600

July 26, 2002

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of /  
the following:

Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)  
 Declaration and Power of Attorney for the above-ic  
executed by the named inventor(s) *1/29/02*  
 Applicant claims small entity status  
 Check in the amount of to cover the filing fee of and the surcharge under 37  
C.F.R. § 1.16(e)  
 English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.  
 Other: Request for 2 month extension of time  
 Authorized is given to charge the \$65.00 surcharge under 37 C.F.R. § 1.16(e) to our Deposit  
Account No. 16-0605.

2, enclosed are

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

*Kelly J. Williamson*

Kelly J. Williamson  
Registration No. 47,179

Customer No. 00826  
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I hereby certify that this paper is being facsimile transmitted to the Patent  
and Trademark Office at Fax No. 703-872-9306 on the date shown below.  
Pamela Lockley  
(Type or print name of person signing certification.)

*Pamela Lockley*  
Signature

July 26, 2002  
Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service with sufficient postage as first class  
mail in an envelope addressed to: Commissioner for Patents,  
Washington, DC 20231, on July 26, 2002.

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JUL 2002

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Alston & Bird Page 1 of 2

APR 1 2002

KJW



UNITED STATES PATENT AND TRADEMARK OFFICE

Received By *[Signature]* U.S. Patent and Trademark Office  
Washington, D.C. 20231  
U.S. Patent and

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,644	John C Kappes	44276/242574 (5854-6)
INTERNATIONAL APPLICATION NO		
PCT/US00/18597		
I.A. FILING DATE	PRIORITY DATE	
07/06/2000	07/09/1999	

00826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 1101  
371 FORMALITIES LETTER



\*OCD00000007706867\*

Date Mailed: 03/28/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN DOCKED

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4/5/02 W.W.

By *[Signature]*  
Date 4-4-02

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - **APPLICANT MUST PROVIDE:**
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,644	PCT/US00/18597	44276/242574 (5854-6)

FORM PCT/DO/EO/005 (371 Formalities Notice)